

identified patent application sets forth a four (4)-way restriction requirement under 35 U.S.C. §§121 and 372 (Group I: claims 1-33; Group II: claim 38; Group III: claims 39-44 and Group IV: claims 34 and 45-51), as well as a requirement for election of species as indicated at page 5 of the Official Action.

At the outset, it is noted that a shortened statutory response period of one (1) month was set in the January 26, 2005 Official Action. Accordingly the initial due date for response was February 28, 2005. A petition for a one (1) month extension of the response period is included with this response, which is being filed before the expiration on the one (1) month extension period, as March 26, 2005 fell on a Saturday.

In response to the aforementioned restriction requirement, Applicants hereby elect, without traverse, the Group I invention, namely, claims 1-33 which are directed to a method of screening for an agent to determine its usefulness in treating insulin resistance.

As for the election of species requirement, Applicants hereby elect LOMT 21 (mitochondrial aldehyde dehydrogenase; Swiss Prot accession no. P47738), which is listed in the table at page 91 of the present specification. Claims 1-33 are believed to read on the elected species.

The present elections are without prejudice to Applicants' right to file one or more continuing applications, as provided under 35 U.S.C. §121, on the subject matter of any claims finally held to be withdrawn from consideration in this application.

In the event that the fee submitted herewith is insufficient, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 04-1406.

Early and favorable action on the merits of this application is respectfully requested.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN
A Professional Corporation
Attorneys for Applicant(s)

By Patrick J. Hagan
Patrick J. Hagan
PTO Registration No. 27,643

Telephone: (215) 563-4100
Facsimile: (215) 563-4044